

EXHIBIT 1

INTRODUCTION

Respondent Kelli Moors was a successful candidate for the Carlsbad Unified School District Board of Trustees in the election held on November 7, 2000. Respondent Friends of Kelli Moors (“the Committee”) was the controlled committee of Respondent Moors. Respondent Moors served as treasurer of Respondent Committee. In this matter, Respondents failed to timely file a semi-annual campaign statement for the period October 22 through December 31, 2000 that was due by January 31, 2001.

For the purposes of this stipulation, Respondents’ violation of the Political Reform Act (the “Act”)¹ is stated as follows:

Respondents Kelli Moors and Friends of Kelli Moors failed to file a semi-annual campaign statement by January 31, 2001, for the reporting period October 22 through December 31, 2000, in violation of Government Code section 84200, subdivision (a).

SUMMARY OF THE LAW

An express purpose of the Act, as set forth in section 81002, subdivision (a), is to ensure that receipts and expenditures in election campaigns be fully and truthfully disclosed, in order for voters to be fully informed and improper practices inhibited. To that end, the Act sets forth a comprehensive campaign reporting system.

Section 82013, subdivision (a) defines a “committee” as any person or combination of persons who directly or indirectly receives contributions totaling \$1,000 or more in a calendar year. This type of committee is commonly referred to as a “recipient” committee. Under section 82016, subdivision (a), a recipient committee that is controlled directly or indirectly by a candidate is a “controlled committee.”

Any person or persons who constitute a committee pursuant to section 82013, subdivision (a) is required to file periodic campaign statements disclosing contributions received and expenditures made by the committee. Section 84200 requires candidates and their controlled committees to file two semi-annual campaign statements each year. The first semi-annual campaign statement covers the reporting period January 1 to June 30, and must be filed by July 31. The second semi-annual campaign statement covers the reporting period July 1 to December 31, and must be filed by January 31 of the following year.

SUMMARY OF THE FACTS

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of title 2 of the California Code of Regulations. All regulatory references are to title 2, division 6 of the California Code of Regulations, unless otherwise indicated.

Respondent Kelli Moors was a successful candidate for the Carlsbad Unified School District Board of Trustees in the election held on November 7, 2000. Respondent Friends of Kelli Moors was the controlled committee of Respondent Moors. Respondent Moors served as treasurer of Respondent Committee. This matter arose out of a referral from the office of the San Diego County Registrar of Voters.

After the November 7, 2000 election, Respondents had a duty to file a semi-annual campaign statement for the reporting period October 22 through December 31, 2000, by January 31, 2001. However, Respondents did not file the required campaign statement by the January 31, 2001 due date. On June 26, 2001, the office of the San Diego County Registrar of Voters sent a letter to Respondent Moors notifying her that the semi-annual campaign statement had not been received. After receiving no response to the June 26, 2001 letter, on October 23, 2001, the county registrar's office sent a second letter to Respondent Moors notifying her that the semi-annual campaign statement still had not been received. After receiving no response to the two letters, on November 30, 2001, the county registrar's office referred the matter to the Commission.

On July 3, 2002, Commission Investigator Charlie Bilyeu spoke with Respondent Moors and advised her to file the semi-annual campaign statement. On July 19, 2002, Respondent Moors filed the delinquent campaign statement. On the semi-annual campaign statement, Respondent Moors disclosed receiving contributions totaling \$700, and making expenditures totaling \$640.

CONCLUSION

This matter consists of one count of violating section 84200, subdivision (a), which carries a maximum administrative penalty of Five Thousand Dollars (\$5,000).²

However, the typical stipulated administrative penalty for the violation of failing to timely file a post-election semi-annual campaign statement has ranged from \$1,500 to \$2,500 for violations occurring after January 1, 2001. In this matter, as Respondent Moors was a candidate in a local school board election, and as her campaign had very little activity during the post-election semi-annual reporting period, imposition of an administrative penalty that is somewhat less than the normal penalty range is appropriate.

Accordingly, the facts of this case justify imposition of the agreed upon penalty of One Thousand Dollars (\$1,000).

² On January 1, 2001, the maximum administrative penalty amount increased from Two Thousand Dollars (\$2,000) to Five Thousand Dollars (\$5,000) for violations occurring after that date.